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**CALIFORNIA DEPARTMENT OF WATER RESOURCES FLOOD
CORRIDOR PROGRAM GUIDELINES
AUTHORIZED UNDER**

**THE DISASTER PREPAREDNESS AND FLOOD PREVENTION BOND ACT OF 2006
(PROPOSITION 1E)**

AND

**THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL,
RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84)**

**STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
DIVISION OF FLOOD MANAGEMENT**

AS AMENDED

AUGUST 2010

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Section 1 Introduction and Definitions

These Guidelines address funding allocations through the Flood Protection Corridor Program (FPCP) and the Floodway Corridor Program (FCP), together called the Flood Corridor Program (Program). The mission of the Program is to fund primarily nonstructural flood management solutions through both direct expenditures and grants to local public agencies and nonprofit organizations. Funding under this Program is intended to be used for acquisition, restoration, enhancement and protection of real property while preserving sustainable agriculture and conserving and where feasible enhancing wildlife habitat in and near flood corridors throughout the State. Proposition 84 and Proposition 1E are the funding sources for this Program. Individual projects may be funded from more than one funding source.

The Department, in its implementation of the Program originally established by voter approved Proposition 13, seeks to avoid future flood damage and correct existing problems by restoring natural fluvial and related biological processes in flood corridors by acquiring, through easement or fee title, rights to real property that is subject to periodic damaging flood flows. These projects and activities may be undertaken by the California Department of Water Resources (Department) directly or through grants to local public agencies or nonprofit organizations. The Program is statewide in scope, although a portion of the Proposition 1E funding is designated in the Governor's budget only for use within the Sacramento-San Joaquin Valley to reduce flood risk for areas protected by State Plan of Flood Control facilities. For a proposed project to be eligible for the portion of the Proposition 1E funding designated for use in areas protected by the State Plan of Flood Control, at least 90 percent of the expected benefits from the proposed project must occur within a Levee Flood Protection Zone.

Program funding sources encompass:

1. Proposition 84, The Safe Drinking Water, Water Quality & Supply, Flood Control, River & Coastal Bond Act of 2006 (Section 75032.5 of Chapter 3 of Division 43 of the Public Resources Code) funds may be used for protection, creation, and enhancement of flood protection corridors through any of the following actions:
 - a) Acquiring easements and other interests in real property from willing sellers to protect or enhance flood protection corridors and floodplains while preserving and where feasible enhancing the agricultural use of the real property;
 - b) Setting back existing flood control levees and, in conjunction with undertaking those setbacks, strengthening or modifying existing levees;
 - c) Acquiring interests in real property from willing sellers located in a floodplain that cannot reasonably be made safe from future flooding; and
 - d) Acquiring easements and other interests in real property from willing sellers to protect or enhance flood protection corridors while preserving and where feasible enhancing the wildlife habitat value of the real property.
2. Proposition 1E, the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Section 5096.825 of Chapter 1.699 of Division 5 of the Public Resources Code) provides additional funds for the protection, creation, and enhancement of flood

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protection corridors and bypasses through the following actions, which are similar to the Proposition 84 actions:

- a) Acquiring easements and other interests in real property from willing sellers to protect or enhance flood protection corridors and floodplains while preserving and where feasible enhancing the agricultural use of the real property;
- b) Setting back existing flood control levees, and in conjunction with undertaking those setbacks, strengthening or modifying existing levees and weirs;
- c) Acquiring interests in, or providing incentives for maintaining agricultural uses of, real property that is located in a floodplain that cannot reasonably be made safe from future flooding; and
- d) Acquiring easements and other interests in real property to protect or enhance flood protection corridors while preserving and where feasible enhancing the wildlife habitat value of the real property.

Proposition 1E also provides for the following two additional actions:

- e) Constructing new levees necessary for the establishment of a flood protection corridor or bypass; and
- f) Relocating or flood proofing structures necessary for the establishment of a flood protection corridor.

Notice of Solicitation

The Department may solicit competitive proposals as long as uncommitted funds remain available to fund new projects. Notices of project solicitation will be provided via the internet to:

- a) Cities, counties, flood control districts, reclamation districts, and other local government entities that manage floodplains and flood control projects;
- b) Nonprofit organizations with interest in flood management issues; and
- c) All individuals and organizations that have requested notice of the opportunity to submit applications.

Definitions and Acronyms

In interpreting and applying these *Guidelines*, the following definitions and acronyms will apply:

“Agreement” or “Funding Agreement:” An agreement entered into by a successful Applicant and the State to provide funds for the Project.

“Applicant:” A California local agency or nonprofit organization, or an organization consisting of more than one eligible local agency or nonprofit association, that is the principal party applying for funding

“Board:” The Central Valley Flood Protection Board (formerly The Reclamation Board) or its successor.

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"California Native American Tribe:" A federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the Native American Heritage Commission (NAHC) as defined in the State of California Tribal Consultation Guidelines, Supplement to General Plan Guidelines.

"Central Valley Flood Protection Plan:" The plan to be developed by the Department in accordance with Cal. Water Code § 9612.

"CEQA:" The California Environmental Quality Act, Public Resources Code Sections 21000 et seq.

"Community:" The specific geographic area that receives a direct reduction in flood risk from the proposed project.

"Contractor:" A contractor performing the Project work for the Funding Recipient to be paid for with funds from an agreement executed pursuant to these *Guidelines*.

"Corps" or "USACE:" The United States Army Corps of Engineers.

"Department" or "DWR:" The California Department of Water Resources.

"Director:" The Director of the Department of Water Resources.

"Disadvantaged Community:" A community with an annual median household income that is less than 80% of the statewide annual median household income as defined by the California Department of Finance, Population Research Unit, for the year in which the project proposal is submitted. If Department of Finance data are unavailable, data may be used from the most recently published U.S. Census.

"Eligible Project Costs" or "Eligible Costs:" The reasonable and necessary actual costs associated with Implementing a project selected pursuant to these *Guidelines* and further described herein.

"Facilities of the State Plan of Flood Control:" The levees, weirs, channels and other features of the Federal and State authorized flood control facilities located in the Sacramento and San Joaquin River drainage basin for which the Board or the Department has given the assurances of non-federal cooperation to the United States required for the project, and those facilities identified in Section 8361 of the Water Code. See Cal. Pub. Resources Code § 5096.805(e).

"FEMA:" The Federal Emergency Management Agency

"Flood Corridor:" Properties in and adjacent to a surface water conveyance channel whether natural or manmade that lie at least 50 percent within the floodplain with at least a one in one hundred chance of flooding in any given year, as determined by any of the flood recurrence interval mapping methods described in these *Guidelines*, and the area on the land side of a flood control levee that has a greater than one chance in one-

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hundred of failing in any given year if the land side area would meet these criteria if the levee were breached.

“Funding Agreement” or “Agreement:” An agreement entered into by a successful Applicant or Project Sponsor and the State to provide funds for the Project pursuant to these *Guidelines*.

“Funding Recipient:” An eligible public agency, nonprofit organization or combination thereof, in the State of California, duly organized, existing and acting pursuant to the laws thereof, or a Project Sponsor, which is the signatory to a Funding Agreement executed pursuant to these *Guidelines*, and its successors and assigns.

“Levee Flood Protection Zone:” The area, as determined by the Board or the Department, which is protected by a Project Levee.

“Limit on State Funds:” The maximum amount of State funds that will be expended on the Project, as set forth in the Funding Agreement.

“Local Agency” or “Applicant:” A public agency in the State of California, duly organized, existing and acting pursuant to the laws thereof, including, but not limited to, any county, city, city and county, district, joint powers agency or council of governments. For purposes of these *Guidelines* a Local Agency must have authority to implement flood management projects.

“Local Agency Emergency Response Plan:” Refers to an Emergency Response Plan developed by or for Applicant to emergency response in a particular Reclamation District or area.

“Median Household Income:” The median household income data reported in the most recently published U. S. Census as updated by the California Department of Finance, Population Research Unit, for the year in which the project proposal is submitted.

“Milestone:” A point in time when a significant portion of a project is completed, as defined in the contract as a time for disbursement of grant funds.

“No Regrets Projects:” Projects that meet the No Regrets requirements outlined in these guidelines. Generally, these are Projects that the Department sees an imperative to build even if they are built out of sequence or before relevant long-term planning has concluded. These Projects are intended to avoid Stranded Investments.

“Nonprofit organization:” An organization that does not operate for profit and has no official governmental status, including but not limited to clubs, societies, neighborhood organizations, advisory councils, conservation organizations and privately run local community conservation corps.

“Project:” All planning, engineering, acquisition of real property interests, construction and related activities undertaken to implement a discrete action to be funded under these *Guidelines*.

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"Project Description;" The document each Applicant must provide with their application that describes the proposed Project in detail.

"Project Levees:" The levees that are part of the facilities of the State Plan of Flood Control.

"Project Sponsor:" The State or an entity other than an applicant selected by the State to implement a project funded pursuant to the Direct Expenditure section of these *Guidelines*.

"Property interest:" Any right in real property, including easement, fee title, and any other kind of right acquired by legally binding means.

"Quarterly Progress Report:" A report on the status of the Project offered on a quarterly basis.

"Real Estate Capital Outlay Costs:" Reasonably justified costs for real property interests (fee/easement), private utility line relocation (*i.e.*, utility lines serving only one party), damage expenses (wells, fences and irrigation systems), goodwill and relocation assistance programs.

"Ring Levee:" A levee which by itself or by connecting to existing levees will encircle a particular asset or set of assets and provide them protection from flood risk.

"Scope of Work:" Detailed plans and information submitted by the applicant before a Project Funding Agreement is signed describing how the Project will be implemented.

"Setback Levee:" A new levee constructed completely separate (except for the "tie-ins") from an existing levee which allows for removal of the existing levee and creation of additional floodplain connected to the stream. In the Sacramento – San Joaquin Delta (Cal. Water Code §12220), a Setback Levee may not necessarily result in removal of the existing levee if habitat restoration will be better achieved with the existing levee left in place.

"Severely Disadvantaged Community:" A community with an annual Median Household Income that is less than 60% of the statewide annual Median Household Income as defined by the California Department of Finance, Population Research Unit, for the year in which the project proposal is submitted. If Department of Finance data are unavailable, data may be used from the most recently published U.S. Census.

"State:" The State of California, acting by and through the Department of Water Resources.

"State General Obligation Bond Law:" The State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code).

"State Plan of Flood Control:" The State and Federal flood management works, lands, programs, plans, conditions and mode of maintenance and operations of the Sacramento River Flood Control Project described in Section 8350 of the Water Code, and of flood

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management projects in the Sacramento River and San Joaquin River watersheds authorized pursuant to Article 2 (commencing with Section 12648) of Chapter 2 of Part 6 of Division 6 of the Water Code for which the Board or the Department has provided the assurances of non-federal cooperation to the United States, which shall be updated by the Department and compiled into a single document entitled "The State Plan of Flood Control." See Cal. Pub. Resources Code § 5096.805(j).

"Statement of Costs:" A statement of incurred Eligible Project Costs.

"Stranded Investments:" Funds committed to Projects that do not provide lasting benefits that are greater than the project cost.

Section 2 Application for Competitive Grant Funding

Applicants for competitive grant funding under the Program will file a complete grant application package with the Department. The Department will not revise the grant application package requirements during any period in which competitive project proposals are being solicited. The grant application package is attached as Appendix A.

Section 3 Competitive Grant Eligibility Criteria

All applicants for competitive grants must meet the following criteria to be considered eligible for funding:

1. Applicant is a California local public agency, a nonprofit organization, or an organization consisting of more than one local public agency or nonprofit organization. California Native American Tribes can apply for grant funding if they are registered as a non-profit organization, or they can partner with another applicant as described in the previous sentence.
2. Applicant is authorized to enter into a grant agreement with the State of California which must be verified by an attorney's statement.

Proposed projects must meet the following criteria:

1. A flood risk reduction component coupled with:
 - a) An agricultural land conservation component; or
 - b) A wildlife habitat conservation or enhancement component including where applicable restoration of natural fluvial and related biological processes; or
 - c) A combination of agricultural and wildlife habitat conservation and/or enhancement.

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2. The proposed project activity locations and/or property acquisitions are at least 50 percent by area within the 100-year floodplain as described by one of the following:
 - a) A Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA), which is determined by using the detailed methods identified in the current FEMA Guidelines and Specifications for Flood Hazard Mapping Partners; or
 - b) An area that would be inundated if the project were completed and an adjacent FEMA SFHA were inundated; or
 - c) A floodway designated by Central Valley Flood Protection Board under Water Code Section 8402(f) [Title 23, California Code of Regulations, Division 2, Section 497.5(a)]; or
 - d) An area below the elevation of the 100-year recurring flood, shown on a locally adopted base flood elevation map based on a hydrologic and hydraulic analysis prepared by a civil engineer registered pursuant to California law or a Professional Hydrologist – Surface Water certified by the American Institute of Hydrology. This is applicable to locations without levees, or where existing levees can be set back, breached, or removed. In the latter case, levee setbacks, removal, or breaching to allow inundation of the floodplain should be part of the project; or
 - e) An area demonstrated to the satisfaction of the Department of Water Resources to be hydrologically equivalent to one of those described in Subparagraphs a, b, c, or d, above.
3. The proposed project is primarily non-structural in nature as evidenced by the project budget allocating less than 20 percent of the Program grant funds to structural actions. Structural elements necessary or appropriate to ensure project objectives are generally fundable only up to 20 percent of Program grant funds.

In rare cases this limit may be exceeded with strong justification:

- Where 20 to 30 percent of the Program funds are allocated to structural elements, FPCP staff concurrence is required; or
- Where non-structural elements cannot function without structural elements, 30-50 percent of the Program funds may be allocated. This will require approval from the Director of the Department.

The following activities are considered non-structural:

- projects which include setting back levees, constructing new levees necessary for the establishment of a bypass, or constructing ring levees to create a meaningful floodplain (reference: California Water Code Section 79037(b)(2) and Public Resources Code Section 5096.825);
- construction of earthen bottom detention basins that support native riparian and wetland vegetation;
- removal of one or more narrow points in a natural channel to improve conveyance if the sides and bottom of the channel are vegetated with native vegetation and not lined with impervious surface or rip-rap unless it is mixed with soil and supports vegetation;

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- laying back the banks of incised streams to support native vegetation and improve conveyance, and relocating or flood proofing structures necessary to establish a flood protection corridor; and
 - One-time costs to improve flood-related emergency notification and response procedures.
4. Projects must include evidence of local funding (from non-federal and non-state sources) equal to at least 10 percent of the amount of the requested grant funds. If the project benefits a disadvantaged community the minimum local share is 5 percent. If the project benefits a severely disadvantaged community no local share is required. These communities must realize at least 51 percent of the project benefits in order to qualify for the reduced local share.
5. No Regrets Projects

The applicant must demonstrate whether the proposed project is located within a geographic area that may be changed significantly due to actions that could reasonably be expected to result from another long-term planning effort (such as the Central Valley Flood Protection Plan, the San Joaquin River restoration, or a Corps feasibility study). If the proposed project is within a geographic area that could be changed significantly in the future as a result of an expected or concurrent long-term planning effort, the applicant must:

- i. Describe how the applicant is coordinating with the other planning effort(s);
- ii. Demonstrate that the proposed project is generally consistent with the other planning effort(s) that affect the same geographic area;
- iii. Demonstrate that the benefits from the proposed project are not likely to be reduced significantly or eliminated due to likely changes that can be expected to result from the related long-term planning effort(s); and
- iv. Demonstrate that implementation of the project is not likely to preclude or reduce anticipated benefits from the long-term planning effort(s).

Section 4 Application Package Completeness Criteria

The application package will be considered complete and will be evaluated for funding if it includes all of the following:

1. A fully completed application package.
2. An attorney's statement verifying that the applicant is authorized to enter into a grant agreement with the State of California.
3. A resolution from each applicant organizations' governing board authorizing submittal of a grant application, indicating their intent to accept the grant if

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awarded, and authorizing specific individuals to sign the funding agreement on behalf of each applicant organization.

4. Identification of the specific project location including geographic boundaries, site map, vicinity map.
5. A map that shows the 100-year floodplain boundary together with the boundaries of the project and how the boundaries of the proposed project coincide with a Levee Flood Protection Zone, if applicable. The method used for the floodplain determination, from the list provided in Section 3 above, must be included, as well as a statement of the percentage of expected benefits from the proposed project that occur within a Levee Flood Protection Zone.
6. Drawings or sketches of project features in adequate detail to describe them.
7. Fee and Easement Acreage Summary (template provided in application package).
8. A proposed scope of work identifying individual tasks, a schedule for execution of the project, and an explanation as to how the methods used are technically feasible to achieve project goals.
9. A description of how services of the California Conservation Corps, or local community conservation corps will be used in the project, if applicable.
10. A financial summary including:
 - a) The amount of the grant requested. The following is a partial list of eligible costs which may be included in the project's budget;
 - California Environmental Quality Act (CEQA) and other regulatory permit documentation
 - Phase I Environmental Site Assessment
 - Real estate fees
 - Hydrologic and hydraulic analysis
 - Plan to minimize impacts to adjacent landowners
 - Mitigation for environmental impacts resulting from implementation of the project that is the subject of the application for Program funds
 - Right-of-way acquisition
 - Land acquisition
 - Construction
 - Tools, supplies, and OSHA required worker accommodations needed for the project with a useful life approximately equal to the time needed to implement the project
 - Project management and administration costs.
 - b) The estimated budget for the project broken down by individual tasks which match the scope of work;

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- c) Identification of ongoing funding sources to pay for long term project maintenance costs;
 - d) The estimated amount of project costs to be funded by the applicant; and
 - e) Identification of any other parties contributing to the project cost and the amounts and activities to be funded by them. This includes those cost contributions needed to meet the cost share requirement as stated in Section 3 item 4 above.
11. The applicant must demonstrate compliance with all applicable requirements of CEQA and other applicable regulatory laws, and submit copies of any environmental documents (including, but not limited to, any CEQA/NEPA drafts or final initial study checklists, any environmental impact report(s), environmental impact statement(s), environmental assessment(s), negative declaration(s), CEQA findings, Project approvals and permits and mitigation and monitoring plan(s), as appropriate, and all other state and federal environmental requirements (including but not limited to, requirements under the federal Clean Water Act, the federal Endangered Species Act and the California Fish and Game Code) and submit copies of the appropriate environmental permits, authorizations and agreements. If a CEQA document has been completed, the applicant shall provide a written statement certifying that no legal challenges have been made within the specified statute of limitations for the Notice of Determination or Notice of Exemption.
12. A statement of how the property improvements or acquired property interests funded by the grant will be conserved in perpetuity, either by a recorded conservation easement, deed restriction or similar limitation to fee title held and enforced by an identified third party, or other mechanism acceptable to the Department. Regardless of which method is used, it must be in first position ahead of any recorded mortgage or lien on the property unless this requirement is waived in writing by the Department.
13. Evidence that affected landowners are willing participants in any proposed real property transactions including willing seller letters for the targeted properties.
14. A statement as to how the Plan to Minimize Impacts to Adjacent Landowners will be completed and an acknowledgement that this will be done early in the project's schedule. The elements of this plan include but are not limited to:
- a) An evaluation of the projects impact on floodwaters;
 - b) The structural integrity of affected levees;
 - c) Existing and proposed diversion facilities;
 - d) Current and historic agricultural practices on the project site and in the vicinity;
 - e) Timber extraction operations; and
 - f) An evaluation with regard to maintenance.
15. Applications must include one of the following:

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- A hydrologic and hydraulic analysis prepared by a civil engineer registered pursuant to California law or a Professional Hydrologist-Surface Water certified by the American Institute of Hydrology; or
 - An engineer's or hydrologist's opinion of flood benefits together with an applicant's statement of intent to prepare a full hydrologic and hydraulic analysis acceptable to the Department early in the project schedule, acknowledging that a provision will be included in the funding agreement to terminate the project if the full hydrologic and hydraulic analysis does not confirm that the project will produce the anticipated flood risk reduction benefits; or
 - A statement deemed acceptable by the Department that a hydrologic and hydraulic analysis is not required because the project will neither affect the hydraulic conveyance capacity of surface water channels nor change transitory storage for storing peak flows.
16. A list of required permits and an implementation plan for their procurement.
17. The anticipated total dollar cost of flood damage repair/restoration if a flood were to occur at the project location. Give dollar amount of anticipated damages (repair cost) for both pre-project and post-project conditions in a format that allows the two to be easily compared. Use a flood recurrence interval (example 100-year, 50-year) appropriate to the location, nature, and size of the project, and use the same interval for both pre-project and post-project cost estimates. The flood recurrence interval used in estimating flood damage costs must be stated. These costs will include the costs that will be borne by taxpayers (taxpayer liability) plus any additional costs such as insurance reimbursement or property owner losses not likely to be covered by insurance or tax dollars. These amounts do not need to be calculated or presented individually, a cumulative total is sufficient for the application package.
18. A statement of qualifications for each member of the project team (not to exceed two pages per person).
19. A preliminary maintenance plan for properties to be acquired or improvements to be funded from the grant and verification that the applicant will maintain the project. Elements of a maintenance plan include:
- a) The name of the maintaining agency;
 - b) A description of periodic maintenance activities that will be performed, description and amount of ongoing costs, and the frequency and timing of performance;
 - c) A statement about the source of funds for the project maintenance. The applicant may use Program funds to establish an endowment in the amount of not more than 20 percent of the amount of money paid for the acquisition or for the improvements, including wildlife habitat restoration. If the applicant is calculating the endowment cap based on improvements made as part of the proposed project, such improvements used in calculating the endowment cap must be on property previously owned or acquired at substantially below

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fair market value. Otherwise, the endowment cap must be based on the acquisition costs. If an endowment fund is established for maintenance, the statement shall include information about the expected sufficiency of the endowment fund proceeds and the need for and sources of additional funding. Interest from the endowment shall be used only to maintain the lands including improvements that are acquired or improved using funds provided pursuant to these guidelines.

Some project applications will also require one or more of the following additional items to be considered complete and evaluated for funding:

1. If property interests are to be acquired, a summary of proposed property acquisition including:
 - a) Identification of each property on a map showing boundary, Assessor's Parcel Number (APN), and owner's name;
 - b) Names, street addresses, email addresses (if available), and telephone numbers of the property owners and lessees or tenants;
 - c) The type of property rights to be acquired (whether easement only or fee title and easement);
 - d) If an easement alone cannot be acquired, a justification of any proposed acquisition of fee interest in property must be provided. The justification shall include alternatives considered to fee title acquisition for each property, proposed final disposition of the property, and the effect on county property tax revenue; and
 - e) A list of names, addresses, telephone numbers, APNs and email addresses (if available) of owners of all property interests in parcels within three hundred feet of those for which acquisition of property rights is proposed ("adjacent landowners").
2. A FEMA Conditional Letter of Map Revision or a statement as to how and when it will be obtained or that none is required with an explanation as to why it is not required.
3. If the project consists solely of property acquisition or preliminary actions necessary for a future project but which provide no immediate flood benefit (either due to not all the necessary properties having been acquired or due to all needed planned improvements not yet completed and for which funding is not yet available), provide a statement describing assurances that the future project needed to achieve the flood benefits will be implemented and describing what future flood benefits will occur.
4. If any of the lands being acquired or restored as part of the project are required mitigation for another project, indicate the number of acres, and the source of funding (Program funds cannot be used for mitigation except mitigation required as a result of impacts from the project being funded with Program funds), and how these expenses will be tracked separately from the Program funds.

Section 5 Project Evaluation, Selection, and Public Hearing Process.

This Section describes the process for project evaluation and selection.

Project Proposals that do not meet the deadline established in the Proposal Solicitation Package will not be reviewed. The Department will review all timely submittals for completeness after proposals are submitted. Proposals that are not substantially complete will not be further reviewed. The Department may contact proponents of proposals that are substantially complete but are missing information necessary to evaluate the merits of the project.

1. Program staff will review the application package for completeness and for project eligibility.
2. A Project Evaluation Team comprised of Department staff and staff from other consulting governmental agencies will be convened.
3. The Project Evaluation Team will review each application and evaluate the subject project within 90 days of the close of the specified submittal period, or within 90 days of receipt of requested additional information, whichever is later.
4. The Department may request that the applicant provide clarification of existing information to better evaluate the merits of the project. Applicant must respond within 30 days of the Department's request. If the requested clarification cannot be provided in 30 days then the applicant may re-file its application at the Department's next solicitation of proposals.
5. Projects will be scored in accordance with the scoring criteria in the attached application package. Scoring will be based on project benefits in the following three evaluation categories: Flood Protection Benefits, Wildlife and/or Agricultural Land Conservation Benefits, and Quality of Proposal and Additional Benefits. The Project Evaluation Team will complete the evaluation of the project including recommending its place on a priority list. Projects receiving less than 50 percent of the available points in any of the three evaluation categories of the application will not be funded. Projects not funded may be resubmitted at the Department's next proposal solicitation with appropriate revisions if needed.

If the requested funds for all projects on the priority list are more than available funds, staff in cooperation with the Evaluation Team, may determine which projects could be implemented with reduced funding or could have later phases deferred based on information provided in the application or during the project site visit.

6. If a portion of a wildlife habitat conservation and enhancement project is proposed to be used for wildlife habitat mitigation (that portion not eligible for

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Program funding), only the non-mitigation portion of the project will be used in scoring the project for wildlife habitat conservation and enhancement benefits.

7. After evaluations and recommended priorities by the Project Evaluation Team together with any possible project cost reductions or project deferments, program staff will submit the recommendations to the Management Review Team for review. The Management Review Team consists of managers from the Department's Division of Flood Management and from FloodSAFE. The Management Review Team may modify the recommendations of the Project Evaluation Team relative to which projects receive funding, their priority ranking, and the dollar amounts allocated to each project. The Management Review Team may recommend:
 - a) Allocating any or all of the available funds to grants for projects on the priority ranking list until the highest ranking priority projects are funded; or
 - b) Allocating the remaining available funds to grants for projects lower on the priority list provided all high priority projects are fully funded; or
 - c) Holding over the remaining available funds for allocation in the subsequent funding cycle; or
 - d) Allocating partial funding to one or more of the projects on the priority list currently being funded.

Management Review Team written recommendations of the priority ranking and funding allocations are then sent to the Director for approval.

8. The Management Review Team will generally apply a maximum funding limit of \$5,000,000 per project in its recommendations to the Director, but may recommend funding above this limit. The recommendations of the Management Review Team will be posted on the Program's website for 15 days for comment.
9. Following the 15-day comment period, the Management Team Recommendations and any comments received together with Staff recommendations for disposition of the comments will be forwarded to the Director for final action. The Director may increase the amounts for individual projects if necessary to achieve the goals of the Program. The Director will determine the final content and priority order of the list and the amount of funding for each project. Funded and non-funded project applicants will be notified.
10. After the establishment of Director-approved priority list, the list will be posted on the Program's website and the Department will hold public hearings for each project to be funded. Public hearings will be held in the county or one of the counties where the project is located. If all or a portion of the project is in a municipality, the hearing will be held in the municipality or one of the municipalities where the project is located.
11. The Department will coordinate with the grantee to give notice of the hearings in accordance with the following:
 - a) Notice will be given by mail at least 10 days before the hearing to:
 - Board of Supervisors of the affected county or counties;

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- adjacent landowners;
 - other affected local districts including water districts;
 - local municipalities;
 - individuals and organizations that have requested notice; and
 - other interested parties as determined by the Department.
- b) Notice of the hearing will be given to the general public by publication in at least one newspaper of general circulation in the local community once a week for two successive weeks.
 - c) The notice will set the time and place of the hearing which will be not less than 10 days following the completion of publication. The notice will state that the purpose of the hearing is to inform and obtain comments from the public on the proposed acquisition of property rights for the project, if applicable, or on any other aspects of proposed project. The notice may include other specific subjects pertaining to the project.
 - d) Additionally, notice may be circulated by electronic mail, website posting or other methods that provide easy access and prompt availability.
12. The Department will provide a public comment period of two weeks in order to receive comments concerning the proposed project.
13. The Department will prepare a summary of comments made at the public hearing and during the public comment period, and within 30 working days after the hearing, will make the summary of comments available on its website.
14. After consideration of the results of the public hearing, if the project is still considered by the Department to be high on the priority list, Department staff will begin the process of developing a funding agreement with the project applicant (grantee). The grantee and the Department must enter into a funding agreement before any funds will be disbursed.

Section 6 Grant Administration

This Section describes the process entered into by the grantee and the Department once a project has been selected for funding. This includes the development and signing of a grant funding agreement.

1. Before the Department enters into a funding agreement (agreement) the grantee will submit a work plan (based on the information provided for project evaluation) including a detailed scope of work, budget, and project schedule satisfactory to the Department. To assist the grantee in developing the work plan, the Department may visit the project site to assess its conditions and needs and may confer with the project grantee, project supporters, and other local officials, agencies, and organizations with an interest in the project. The Department may convey recommendations and information obtained from these efforts to the grantee. The agreement may

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be initiated once the Department approves the work plan.

2. The agreement will be signed by the grantee, and, if the grantee is a joint venture or similar organization, all the member organizations. If the grantee is a nonprofit organization that is not incorporated, it must designate a fiscal agent satisfactory to the Department to act on its behalf, and provide evidence that the fiscal agent agrees to so act.
3. If a Department approved agreement is not signed by the grantee within six months of the date the grant is awarded, the grant may be withdrawn.
4. Prior to any modification of the land or vegetation, a hydrologic and hydraulic study, acceptable to the Department, shall be completed for properties within and adjacent to the project. If a project will neither affect the hydraulic conveyance capacity of surface water conveyance channels nor change transitory storage capacity for storing peak flows, a hydrologic and hydraulic analysis may not be required.
5. Although grant funds will be disbursed as provided in the agreement to reimburse costs incurred by the grantee or to make payments directly into escrow, certain costs will not be reimbursed or paid until the following conditions are met:
 - a) For project activities that could affect the environment, the grantee complies with all applicable requirements of CEQA and other environmental laws; and
 - b) For project activities requiring permits, the necessary permits are obtained.
6. The Department may withhold up to 10 percent of each disbursement, as specified in the agreement, to ensure completion of the project. Such withholding will generally not apply to property purchase payments except when multiple cost-shared property purchases occurring at different times are necessary to ensure the success of the project and avoid stranded investment. In such cases, 10 percent of the Department share will be withheld from each purchase, except the final purchase, until the final purchase is completed.
7. The grantee will be required to keep informed of and take all measures necessary to ensure compliance with applicable California Labor Code requirements, including, but not limited to, Section 1720 et seq. of the California Labor Code regarding public works, limitations on use of volunteer labor (California Labor Code Section 1720.4), labor compliance programs (California Labor Code Section 1771.5) and payment of prevailing wages for work done and funded pursuant to these Guidelines.
8. For projects that receive funding pursuant to the provisions of Proposition 84, the agreement will require the sponsor to submit verification of a Labor

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Compliance Program acceptable to the Department that meets the requirements of California Labor Code Section 1771.5. Written evidence of the Labor Compliance Program will need to be submitted to the Department before the project is funded.

9. The agreement will either define project completion milestones, at which time payment of grant funds will be made for completed work, or state that payment will be made monthly or quarterly in arrears upon receipt of invoices. For property rights acquisitions, payment can be made at the time of purchase directly into escrow or as reimbursement to the grantee following escrow closure if the grantee advances the funds to complete the purchase in accordance with the terms of the funding agreement.
10. The grantee will provide a progress report to the Department, as a prerequisite to payment of each invoice. Progress reports will include the following:
 - a) Records of expenditures;
 - b) Description of project activities since the previous report;
 - c) Status of the project relative to the progress schedule;
 - d) Key issues that must be resolved; and
 - e) Results of project monitoring.

The first progress report shall be made at the end of the first complete calendar quarter after the date of execution. Progress reports will be submitted quarterly thereafter. The Department will monitor progress and may suspend all payments indefinitely if in the opinion of the Department's Chief of the Division of Flood Management it appears the grantee is in breach of the agreement to such an extent that ultimate achievement of project objectives may be significantly compromised. If payments are suspended, the grantee will be given six months to cure the breach or the funding agreement will automatically terminate. Decisions to suspend payments may be appealed to the Director of the Department.

11. The Department may inspect the project at any reasonable time during planning and construction to ensure it is being carried out in accordance with the work plan, and after completion to ensure that it is being properly maintained.
12. The grantee will prepare a maintenance plan and will be required to report annually to the Department on maintenance activities for five years following project completion.
13. Amendments to agreements require the approval of all parties and may require re-evaluation of the project's competitive score. Amendments may address:
 - a) Change in schedule (e.g. time extension);

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- b) Change in scope of work, project boundaries, or properties targeted for acquisition if outside the project boundaries. A change in targeted properties may be acceptable if:
 - the amount of transitory storage for a given level of flood event does not change so long as the new property is within 5 miles of the previously targeted property or the flood stage elevation reduction for the benefited properties does not change;
 - the proposed new site drains into the same primary watercourse as the original property;
 - the proposed new site meets the requirement for being 50% in the 100-year floodplain; and
 - the proposed new site must have comparable wildlife habitat quality or agricultural benefits, i.e. the habitats are similar in size, type, density, quality, and support as many or more target species. Agricultural land is considered similar if it has soils with similar productivity potential (as indicated by similar agricultural soils classification by the Natural Resource Conservation Service), similar water availability for irrigation, similar presence or absence of conflicting land uses on surrounding properties, and similar accessibility for farm equipment.
- c) Change in total budget or transfer of funds between tasks that exceeds 20 percent of the Department approved budget for either task (less than 20 percent does not require a formal amendment but does require the Department's program manager's written approval);
- d) Change to any of the agreement provisions; and
- e) Change in parties to the agreement.

Proposed amendments that may cause significant change or reduction of project benefits, as determined by Program staff, will have their competitive rank re-evaluated and re-scored by the original Project Evaluation Team or a team with equivalent expertise. If re-evaluation results in a lower score the initial project may be completed with the remaining funding if in the opinion of the Management Review Team the remaining benefits justify completing the project. If the Management Review Team determines the change or reduction of project benefits make the project no longer eligible for funding, the funding will be terminated and redirected to another project or re-budgeted for a future funding cycle.

- 14. The grantee will submit a written project completion report which will include:
 - a) All items required in Section 6 item 10 above;
 - b) Photographs of the before-project condition;
 - c) Photographs of planning and restoration activities and techniques; and
 - d) Photographs of the completed condition.
- 15. All grantees are subject to state and federal conflict of interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the application being rejected and any subsequent

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contract being declared void. Other legal action may also be taken. Applicable statutes include, but are not limited to, Government Code Section 1090, and Public Contract Code Sections 10410 and 10411, for State conflict of interest requirements.

16. The grantee will defend and hold and save the State free and harmless from any and all claims or damages arising out of or in connection with the planning, design, construction, operation, maintenance, repair, replacement, or rehabilitation of the project facilities and properties, including claims based on inverse condemnation.

Section 7 Audits and Record Keeping

1. All grantee records and documents pertaining to the grant will be maintained by the grantee until three years after the final payment of grant funds is made.
2. All grantee records and documents pertinent to the grant will be available for inspection and audit by the Department or other State representative during normal business hours while the project is active and for three years after final payment of grant funds.

Section 8 Program Directed Activities

In addition to soliciting competitive grants, the Department may use a portion of Program funds for Direct Expenditures or Directed Activities that fulfill the intent of the funding source used. Direct expenditure projects are proposed by the Department either in response to a solicitation from a stakeholder, another government entity, or on its own initiative. The Department will apply these guidelines, as it deems applicable and appropriate, to such projects. Direct expenditure projects must address an interest of the State, may be proposed and approved at any time, but must be evaluated by the same criteria as competitive grants and receive at least 50 percent of the available points in each of the following three categories: Flood Protection Benefits, Wildlife and Agricultural Land Conservation Benefits, and Quality of Proposal and Additional Benefits. The Department will also use guidance from Propositions 1E and 84. The Department may transfer program funds to other State agencies to implement qualifying projects pursuant to an interagency agreement, or may contract with contractors, local government agencies, nonprofit organizations, and federal agencies in funding and implementing direct expenditure projects.

The approval process for direct expenditure projects is the same as for competitive grants.

Section 9 Guideline Amendments

These *Guidelines* may be amended at the sole discretion of the Department at any time. Amendments to the *Guidelines* will be publically posted and made available for comment. If an amendment substantively changes these *Guidelines*, such that an applicant can make a showing that it would have qualified and would have submitted a proposal under the amended *Guidelines*, the applicant *will* be given the opportunity to submit the proposal for review.

Appendix A
California Department of Water Resources
Flood Corridor Program

Grant Application Form
July 2010

Section 1 Program Background

Grant funds from Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, and Proposition 1E the Disaster Preparedness and Flood Prevention Bond Act of 2006 to be allocated and disbursed under the Flood Protection Corridor Program and the Floodway Corridor Program, collectively called the Flood Corridor Program (Program), are available upon competitive selection to local public agencies and nonprofit organizations from the Department of Water Resources. Funds will be used to pursue Program goals, which are to provide for the protection, creation, and enhancement of flood protection corridors through the following actions:

1. Acquiring easements and other interests in real property from willing sellers to protect or enhance flood protection corridors and floodplains while preserving or enhancing the agricultural use of the real property.
2. Setting back existing flood control levees and, in conjunction with undertaking those setbacks, strengthening or modifying existing levees and weirs.
3. Acquiring interests in, or providing incentives for maintaining agricultural uses of, real property that is located in a flood plain that cannot reasonably be made safe from future flooding.
4. Acquiring interests in real property from willing sellers located in a floodplain that cannot reasonably be made safe from future flooding.
5. Acquiring easements and other interests in real property from willing sellers to protect or enhance flood protection corridors while preserving or enhancing the wildlife value of the real property.
6. Constructing new levees necessary for the establishment of a flood protection corridor or bypass.
7. Relocating or flood proofing structures necessary for the establishment of a flood protection corridor.

Submitting Applications using the Online Bond Management System (BMS)

[Insert information about how to use the BMS system, the website location, etc.]

When to Submit on BMS

Applications submitted during a competitive solicitation should be completed on BMS by **5:00pm, [Month Day], 2010**.

How to Submit on BMS

Simply create an account on BMS, answer the questions on each tab, and upload the additional information on the last tab by the due date. You will also need to send one hard copy of your entire application with an original signature to:

Earl Nelson, Program Manager
Department of Water Resources
Flood Protection Corridor Program
3310 El Camino Avenue, Room 140
Sacramento CA, 95821

Please make sure that your application package is postmarked on or before [Month Day], 2010. For more information about using BMS or about the Program, please visit the website at:
<http://www.water.ca.gov/floodmgmt/fpo/sgb/fpcp/>.

Section 2 Application Benefit Questions

You will find the following questions on BMS, in addition to other questions listed in the table below. Please keep in mind that these questions will be used to evaluate and score a portion of the project proposal. In many cases, the members of the Evaluation Team that review the Flood Protection Benefits section, will not be the same members that review the Wildlife and/or Agricultural Protection Benefits section. Therefore, answers to each question should be comprehensive and stand alone, and answers provided in one section may need to be repeated in the subsequent section.

Flood Protection Benefits

1. Existing conditions and flood risk in the floodplain

Describe the existing conditions at the site, including the potential for urban or agricultural development.

Describe the nature of the flood risk, including the depth and extent of flooding. How often has flooding at the site and surrounding area occurred historically?

Discuss the importance of improving the flood protection at this location. Include the number of people and structures that are affected by the flood hazard, and the flood impacts to highways and roads, railroads, airports, other infrastructure, and agriculture.

2. Flood damage reduction benefits of the project

Does the proposed project provide for transitory storage of floodwaters? What is the total community or system need for transitory storage related to this water course and what percentage of the total need does this project satisfy? What is the volume of water that can be stored and how long is it detained?

Describe any structural and non-structural flood damage reduction elements of the project. (Examples of structural elements are levees, weirs, detention/retention basins, rock slope-protection, etc. Examples of non-structural elements are acquisition of property for open space, acquisition of land for flood flow easements, transitory storage, relocation of structures and other flood prone development, elevating flood prone structures, flood proofing structures, etc.) What is the area that would benefit from the project flood risk reduction measures, and how much would the flood risk in the area be reduced?

What is the assessed value of structural improvements that will be protected by the project?

What is the estimated replacement value of any flood control facilities or structures protected by the project?

How much will the project decrease the dollar value of expected average annual flood damage? This can be shown by estimating the value of the assets that would be lost if a flood occurs multiplied by the probability of flooding under pre-project conditions and post project conditions. The difference between the two numbers divided by the smaller of the flood recurrence interval or the project's useful life, will give the average annual flood damage reduction.

By how much will the project reduce taxpayer liability for repairing flood-damaged property? This can be shown by providing the anticipated dollar cost of flood damage repair/restoration for both pre-project and post-project conditions using a flood recurrence interval (example 100 year, 50 year) appropriate to the location, nature, and size

of the project. The flood recurrence interval used in estimating flood damages must be stated.

How does the project affect the hydrologic and hydraulic conditions at the project site and adjacent properties? What are the potential effects of the project on water surface elevations and velocities during a flood event which could cause property damage and/or loss of life?

3. Restoration of natural processes

Describe existing fluvial conditions in the project vicinity including channel capacity, velocity, inundation of historic floodplain, roughness, scour, sediment transport and deposition, and river meander patterns.

Describe how the project will change the natural channel processes listed above, including effects on upstream and downstream hydraulics and stage, and describe how these changes will affect flood management and adjacent properties.

If the project includes channel modification or bank protection work, will riprap or dredging be part of the design? If so, provide an analysis of potential benefits and impacts.

4. Project effects on the local community

Is the project urban growth inducing? If so, what is the projected flood recurrence interval for the urbanizing area?

How will the project affect emergency evacuation routes or emergency services and demands for emergency services?

Explain how the project will comply with the local community floodplain management ordinance and the floodplain management criteria specified in the Federal Emergency Management Agency's National Flood Insurance Program (FEMA's NFIP).

Wildlife Benefits

Habitat values refer to the ecological value and significance of the habitat features at this location that presently occur, have occurred historically, or will occur after restoration.

Viability refers to the site's ability, after restoration if necessary, to remain ecologically viable with minimal on-site management over the long-term, and to be able to recover from any natural catastrophic disturbances (fire, floods, etc.).

1. Importance of the site to regional ecology

Describe any habitat linkages, corridors, or buffer zones within or adjacent to the site. How will these be affected by the project?

Discuss the significance of habitat types at this location and include any local, regional, or statewide benefits received by preserving or improving the area. Is the project proponent working with any local conservancies or trusts?

Does the site contain any significant wintering, breeding, or nesting areas? Does it fall within any established migratory corridors? What is the level of significance? How will these be affected by the project?

Is the site adjacent to any existing conservation areas or large protected natural landscapes (for example, a large stand of blue-oak woodland adjacent to public land)?

Describe any plans for aquatic restoration resulting in in-stream benefits.

Discuss any natural, landscape-scale ecological processes, such as flooding, fire, sand transport, sediment trapping, or others that might be affected by the project.

2. Diversity of species and habitat types

Does the site possess any areas of unique ecological and/or biological diversity?

Does the site possess any vegetative complexity either horizontally or vertically?

Describe any existing habitats that support any sensitive, rare, declining, or threatened and endangered species with known highly restricted distributions in the region or state. Does the site contain any designated critical habitat? How will these be affected by the project?

Does the site contain a number of species and habitat types? List and describe. Differentiate between native and introduced species.

What is the amount of shaded riverine aquatic (SRA) and/or riparian habitat to be developed, restored, or preserved?

3. Public benefits accrued from expected habitat improvements

Describe present public use/access, if any. For instance, does or will the public have access for the purpose of wildlife viewing, hunting, fishing, photography, picnics, etc.

Discuss areas on the site that are critical for successfully implementing landscape or regional conservation plans. How will the project help to successfully implement the plans?

4. Viability/sustainability of habitat improvements

Describe the surrounding vicinity. Include the presence or absence of large urban areas, rapidly developing areas, and adjacent disturbed areas with non-native vegetation and other man-made features. Do any surrounding areas detract from habitat values on the site? Describe the project's compatibility with adjacent land uses.

Is the site at risk for urban development? Is the project site designated for development on any general plan or projected to receive urban services in any sphere of influence? When?

Describe any future operation, maintenance and monitoring activities planned for the site. How would these activities affect habitat values?

Is the watershed upstream of the site relatively undisturbed or undeveloped and likely to remain so into the foreseeable future? Describe its condition.

Does the project site have adequate water supply to establish and sustain planned habitat restoration? Describe.

Is the project site under Williamson Act contract and are the planned habitat improvements allowed?

Agricultural Land Conservation Benefits

1. Potential productivity of the site as farmland

Describe the quality of the agricultural land based on land capability, farmland mapping and monitoring program definitions, productivity indices, and other soil, climate and vegetative factors.

Are projected agricultural practices compatible with water availability?

Does the site come with water, mineral, and/or development rights?

Is the site large enough to sustain future commercial agricultural production?

Does the site contain any adverse or beneficial deed restrictions affecting agricultural land conservation?

Describe the present type of agricultural use including the level of production in relation to the site's productivity potential. What existing infrastructure facilities support agriculture uses at the project site and what is their condition?

2. Farming practices and commercial viability

Does the area possess necessary market infrastructure and agricultural support services?

Are surrounding parcels compatible with commercial agricultural production?

Is there local government economic support in place for agricultural enterprises including water policies, public education, marketing support, and consumer and recreational incentives?

Describe any present or planned future environmentally friendly farm practices (no till, erosion control, wetlands avoidance, eco-friendly chemicals, recycling wastes, water conservation, biological pest control).

3. Need and urgency for farmland preservation measures

Is the project site in a designated agricultural preserve? Is it under a Williamson Act contract? Please describe contract type (10 year or 20 year) and whether a notice of non-renewal has been filed.

Describe the surrounding vicinity. Include the presence or absence of large urban areas, rapidly developing areas, low density ranchette communities, and adjacent disturbed areas with non-native vegetation and other human-induced features. Do any surrounding areas detract from agricultural values on the site?

What types of conversion or development are likely on neighboring parcels? What are the land uses of nearby parcels? Describe the effects, if any, of this project on neighboring farming operations or other neighboring land uses.

4. Compatibility of project with local government planning

Is the agricultural land use on the project site consistent with the local General Plan? Does the General Plan demonstrate commitment to long-term agricultural conservation?

What is the present zoning? Explain any reasons why the parcel cannot be developed.

Describe the relationship between the project site and any applicable sphere of influence.

Is there an effective right to farm ordinance in place?

Is the project description consistent with the policies of the Local Agency Formation Commission?

Will the project as proposed impact the present tax base?

5. Quality of agricultural conservation measures in the project

For agriculture lands proposed for conservation, describe any additional site features to be conserved that meet multiple natural resource conservation objectives, including wetland protection, wildlife habitat conservation, and scenic open space preservation where the conservation of each additional site feature does not restrict potential farming activities on the agriculture portions of the site.

How will existing or proposed agricultural practices affect the present biological/ecological values for wildlife?

Is the project proponent working with any local agricultural conservancies or trusts?

Does conservation of this site support long-term private stewardship of agricultural land? How does this proposal demonstrate an innovative approach to agricultural land conservation?

Without conservation, is the land proposed for protection likely to be converted to non-agricultural use in the foreseeable future?

Quality of Proposal and Additional Benefits

1. Persons benefitted and cost

Identify the number of persons expected to benefit and the Program funds per person benefited.*

(* Count as beneficiaries those receiving flood benefits, recreational users of habitat areas protected by the Project, and consumers of food products from agricultural areas conserved by the Project.) Explain calculation methods and assumptions.

2. Effects on water supply or water quality

Will water stored by the project provide for any conjunctive use, groundwater recharge, or water supply benefit?

In livestock grazing areas does the project include measures to improve and protect water quality and habitat quality in and adjacent to open streams, wetlands, or vernal pools?

Does the project use newly developed fresh water marsh to improve water quality?

Does the project trap sediments?

3. Technical and fiscal capability of the project team

Does the project require scientific or technical expertise? If so, specify how the expertise will be provided?

Grant funds will be available to reimburse grantees for budgeted expenses and activities after they occur. What monitoring and reporting mechanisms will be used to track project schedule, expenditures, and progress towards completion of the scope of work?

Please outline your team's management, fiscal and technical capability to effectively carry out your proposal. Mention any previous or ongoing grant management experience you have.

4. Coordination and cooperation with other project, partner agencies, and affected organizations and individuals

Does your project overlap with or complement previous or ongoing activities being carried out by others (such as CALFED, the Sacramento and San Joaquin River Basins Comprehensive Study, the Delta levee program, local floodplain management programs, the Reclamation Board's Designated Floodway program, or a multiple objective regional or watershed plan)? If so, indicate any coordination that has taken place to date or is scheduled to take place in the future.

Will this application, if approved, begin the next phase of a previously approved project or advance an ongoing project substantially toward completion?

Describe how the proposal demonstrates a coordinated approach among affected landowners, local governments, and nonprofit organizations. If other entities are affected, is there written support for the proposal and a willingness to cooperate? If so, please include.

What to submit on BMS

Some documents will need to be downloaded from the Flood Corridor Program (Program) website, completed by the applicant, and then uploaded through BMS. The Program website is located at the following address:
<http://www.water.ca.gov/floodmgmt/fpo/sgb/fpcp/>

The following information will be submitted through BMS:

Application Package Checklist

Attachment 1	Signature Page – (Download from Program Website) Upload a scanned version onto BMS and send an original (wet signature) signed form with hard copy.	<input type="checkbox"/>
Attachment 2	<p>Project Description – Describe your project and explain how it will advance Program goals and how it will reduce potential taxpayer liability for costs of repairing damages from future flooding. Provide a statement of the relative importance of the project's flood risk reduction as well as wildlife and/or agricultural land conservation benefits.</p> <p>In order to maximize the projects competitiveness, please provide answers to the following questions:</p> <ol style="list-style-type: none"> 1. Can this project be divided into stand alone phases? Yes or No. 2. If the project can be divided into stand alone phases, what would be the dollar cost to the Program of Phase 1? 3. If only Phase 1 were funded in this funding cycle, what would be the consequences? What project benefits would be lost or deferred? 4. By what percentage could the project budget be reduced before the project becomes infeasible? What would be the consequences of reducing the budget? 	<input type="checkbox"/>
Attachment 3	<p>Project Location/Site/Vicinity Map – Provide a map and/or diagrams depicting the project location and site characteristics including the area and watershed encompassed by the project and disadvantaged communities within the project area (if applicable). Photographs showing problem areas proposed to be enhanced by the project should also be included.</p> <p>Floodplain Map – Provide a map that shows the 100 year floodplain boundary together with the boundaries of the project. The method used for the floodplain determination (from the list provided in <u>Section 3 of the guidelines</u>) must be stated.</p> <p>Project Drawings and Sketches – Provide drawings or sketches of project features in adequate detail to describe them.</p>	<input type="checkbox"/>
Tabs with Questions to be answered in BMS	<p>Project Evaluation Questions/Application Questionnaire</p> <ul style="list-style-type: none"> • Flood Protection Benefits • Wildlife Benefits and/or Agricultural Land Conservation Benefits • Quality of Proposal and Additional Benefits 	<input type="checkbox"/>
Attachment 4	Proposed Scope of Work and Schedule – Provide a detailed, concise, and specific Scope of Work. This scope of work will be used for preparing the funding agreement should the project be selected for funding. Provide a Schedule for implementation of the project showing the sequence and timing of the proposed work items. The schedule should show the start and end dates and milestones.	<input type="checkbox"/>
Attachment 5	Financial Summary – Include an estimated budget broken down by individual tasks which match the scope of work, ongoing funding sources for long term maintenance costs, and project funding from other parties (State, Federal, local, in-kind and other funding sources) contributing to the project costs and whether those funds are anticipated or committed.	<input type="checkbox"/>
Attachment 6	Hydrologic and Hydraulic (H&H) Analysis or Hydrologist/Engineer's Letter – Attach either an H&H analysis prepared by a civil engineer registered pursuant to California law or a Professional Hydrologist-Surface Water certified by the American Institute of Hydrology, or an engineer's or hydrologist's opinion of flood benefits together with an applicant's statement of intent to prepare a full H&H analysis acceptable to the State early in the project schedule, or a statement deemed acceptable by the State that an H&H analysis is not required because the project will neither affect the hydraulic conveyance capacity of surface water channels nor change transitory storage for storing peak flows.	<input type="checkbox"/>
Question in BMS	Plan to Minimize Impacts to Adjacent Landowners – Provide a statement as to how the Plan to Minimize Impacts to Adjacent Landowners will be completed and an acknowledgement that this will be done early in the project's schedule	<input type="checkbox"/>
Question in BMS	Anticipated cost of flood damage repair/restoration for pre-project and post-project conditions– Provide the anticipated total dollar cost of flood damage	<input type="checkbox"/>

	repair/restoration if a flood were to occur at the project location. Give dollar amount of anticipated damages (repair cost) for both pre-project and post-project conditions in a format that allows the two to be easily compared. Use a flood recurrence interval (example 100 year, 50 year) appropriate to the location, nature, and size of the project, and use the same interval for both pre-project and post-project cost estimates. The flood recurrence interval used in estimating flood damage costs must be stated. These costs will include the costs that will be borne by taxpayers (taxpayer liability) plus any additional costs such as insurance reimbursement or property owner losses not likely to be covered by insurance or tax dollars, although these amounts do not need to be calculated or presented individually; a cumulative total is sufficient for this application.	
Question in BMS	Preliminary Maintenance Plan – Provide a plan for maintenance of properties to be acquired or improvements to be funded from the grant and verification that maintenance of the site and planned improvements will be ongoing. The preliminary plan should describe the name of the maintaining agency, a description of periodic maintenance activities to be performed, and frequency and timing of performance, a statement about source of maintenance funds.	<input type="checkbox"/>
Attachment 7	CEQA Documentation – Provide the status of all environmental documents required for the project. Attach any draft or final CEQA documents that are available. If none are available, provide a completed Initial Study checklist.	<input type="checkbox"/>
Question in BMS	Significant Impacts under CEQA – List any potentially significant impacts the proposed project could result in. If applicable, list adequate mitigation measures that have been incorporated into the proposal.	<input type="checkbox"/>
Question in BMS	List of Required Permits – List the required permits and provide an implementation plan for their procurement. Please see a comprehensive list on the Program website.	<input type="checkbox"/>
Attachment 8	Fee and Easement Acreage Summary (Download from Program Website)	<input type="checkbox"/>
Question in BMS	Project Acquisition and Easement Description- Provide a description of how the property improvements or acquired property interests funded by the grant will be conserved in perpetuity, either by a recorded conservation easement, deed restriction or similar limitation to fee title held and enforced by an identified third party, or other mechanism acceptable to the State. Upon project implementation, it must be in first position ahead of any recorded mortgage or lien on the property unless this requirement is waived by the State.	<input type="checkbox"/>
Question in BMS	California Conservation Corps - Describe how services of the California Conservation Corps, or local community conservation corps will be used in the project, if applicable. <i>Do you agree that you will use the services of the California Conservation Corps or a local community conservation corps whenever possible? Yes/No</i>	<input type="checkbox"/>
Attachment 9	Attorney's Statement of Eligibility – Attach an attorney's statement verifying that the applicant is authorized to enter into a grant agreement with the State of California.	<input type="checkbox"/>
Attachment 10	Resolution (Download from Program Website) – Attach a resolution from applicant organizations' governing board authorizing submittal of a grant application, indicating their intent to accept the grant if awarded, and authorizing specific individuals to sign the funding agreement on behalf of each applicant organization.	<input type="checkbox"/>
Attachment 11	Statement of Qualifications – Attach a statement of qualifications for each member of the project team (not to exceed two pages per person).	<input type="checkbox"/>
Attachment 12	Evidence of Willing Seller letters – Attach a willing seller letter for all properties to be acquired using FPCP funds (Example can be found on Program Website).	<input type="checkbox"/>
Attachment 13	FEMA Conditional Letter of Map Revision (CLOMR) – Attach the FEMA CLOMR or a statement as to how and when it will be obtained. If none is required, please attach an explanation as to why it is not required.	<input type="checkbox"/>
Attachment 14	Property Data Sheet (Download from Program Website) – Attach the Property Data Sheet (to be used for mailing of Public Hearing Notice and Plan to Minimize notice). For Property Interests to be Acquired, the following information is needed: <ul style="list-style-type: none"> • Attach map showing project boundaries and location of property interests to be acquired. APNs should be identified on map. • Owner Name • Assessor Parcel Number (APN) • Telephone, Street Addresses of property owners and lessees or tenants, or Email Addresses • Type of Property Rights to Be Acquired (Easement Only or Fee Title and Easement) All parcels in proposed project area: <ul style="list-style-type: none"> • A list of owner names, Assessor Parcel Numbers, addresses, telephone numbers, and email addresses of all owners of all property interests in parcels within three hundred feet of the project boundaries. 	<input type="checkbox"/>
Question in BMS	Future Project Benefit Assurance – * For projects with Project Acquisition only or with Preliminary Actions necessary for a future project but which provide no immediate flood benefit - <i>Provide a statement describing assurances that the future project needed to achieve the</i>	

	<i>flood benefits will be implemented and what future flood benefits will occur.</i>	
Question in BMS	Property Acquired or Restored used for Mitigation – <i>Will any of the property acquired or restored with FPCP funds be used to meet mitigation requirements for another project? Y/N</i> <i>If yes, please indicate the number of acres and the specific project(s) for which the property to be acquired or restored will provide mitigation.</i>	

Section 3 Application Scoring

The following information constitutes the basis for determining whether a proposed project meets the criteria for funding under the Program and for evaluating the proposal to determine its priority in relation to all concurrent proposals. Projects of higher priority will be funded first, and when all high priority projects have been funded lower priority projects may be funded.

Scoring for proposed projects is broken up into three categories: Flood Protection Benefits, Wildlife/Agricultural Benefits, and Quality of Proposal and Other Benefits. In order to be eligible for funding, a proposal must score at least 50% of the possible points in each of the three categories: flood protection, wildlife and/or agricultural land conservation, and quality of proposal and additional benefits. If a project has both wildlife and agricultural conservation benefits, the percentage of the benefits will be scored as a ratio of the two which, when combined equal 100% of the score for wildlife and agricultural benefits.

Projects which benefit disadvantaged communities may be eligible for bonus points up to a maximum of [xx] points.

Scores will be based on the following table:

Flood Protection Benefits		Wildlife Conservation Benefits	or	Agricultural Land Conservation Benefits		Quality of Proposal and Additional Benefits	
Existing conditions and flood risk in the floodplain	50	Importance of the site to regional ecology	110	Potential productivity of the site as farmland	120	Budget and Project scope	100
Flood damage reduction benefits of the project	170	Diversity of species and habitat types	110	Farming practices and commercial viability	50	Persons benefited	30
Restoration of natural processes	60	Public benefits accrued from expected habitat improvements	40	Need and urgency for farmland preservation measures	50	Effects on water supply or water quality	40
Project effects on the local community	60	Viability/sustainability of habitat improvements	80	Compatibility of project with local government planning	70	Project team and administration	80
				Quality of agricultural conservation measures in the project	50	Readiness to proceed	70
		Subtotal	340	Subtotal	340		
Total possible points	340	Total possible points 340				Total possible points	320